

Table B-Preliminary list of definitions to be amended

Term(s)	Current Definition	History	Reason for Revision
Adult Day Care Center	A facility that provides care to adults during part of the day only and which includes personal supervision of the adults and promotes social, physical and emotional well-being through companionship, self education and leisure time activities.	Introduced to the ordinance in 1997.	Similar definitions. Research these definitions to eliminate redundancies. Look at the State Code for update definitions. staff proposes the inclusion of new terms which are relatively similar to these but have their own specifications (E.g. Assisted Living Facility and Continuing Care Retirement Community-CCRC's)
Home care facility	A residential facility for the care of four or more persons who require the protection of a supervised group setting or nine or more persons who are mentally ill, intellectually disabled, or developmentally disabled	Introduced in 1991 and revised in 2009	
Rest home	Any place, establishment or institution, public or private, including any day care center for adults, operated or maintained for the maintenance or care of four or more adults who are aged, infirm or disabled, except the home or residence of any individual who cares for or maintains only persons related to him by blood or marriage. The term "rest home" shall include facilities known by varying nomenclature such as home for adults and domiciliary	Introduced to the ordinance in 1985	
Affordable Housing	Units with sales prices targeted to low-and moderate-income households, as defined by the U.S. Department of Housing and Urban Development (HUD). Such sales prices shall be those endorsed annually by the board of supervisors after receiving recommendation from	Introduced to the ordinance in 1999 and revised in 2007.	This definition will be updated in conjunction with the Housing and Community Development staff. The Board of Supervisors have not endorsed sales prices targeted to low-and moderate-income households on an annually basis for some

	the James City County Office of Housing and Community Development based on the then-current HUD area-wide income limits and identified local needs.		time.
Camouflaged Structure	Any WCF disguised or hidden so that all of its components are unnoticeable to the casual observer, or otherwise not have the appearance of an antenna or a tower, and which meets at least one of the following: (1) the structure has the appearance , scale and height of other structure that are generally permitted in the district in which is to be located; (2) the structure has the appearance of vegetation native to eastern Virginia; or (3) the structure is completely surrounded by a minimum of a 100-foot, undisturbed buffer of mature trees, or a buffer consisting of other elements such as evergreen trees, other structures or topography that provide at least the equivalent visual effect of a 100-foot undisturbed buffer of mature deciduous trees, that in combination with the design and color of the structure, renders the structure unnoticeable to the casual observer.	Introduced to the ordinance in 1998 under the definition of “Support Structure”	Staff proposes to evaluate the need to introduce differences between a “camouflages structure” and a “concealed structure.” Expect revisions or introduction of terms related to Wireless Communication.
Timbering	Tree harvesting, cutting, or removal where the total amount of land in which tree cutting occurs exceeds 10, 000 square feet. However, timbering shall not include: (1) Harvesting, cutting, removal or other clearing of trees in accordance with an approved site plan, subdivision plan, or building permit; or (2) Removal of dead, diseased, dying, or insect damage trees.	Introduced to the ordinance in 1996.	The definition of timbering has been revised according to staff’s research in collaboration with the Virginia Department of Forestry (VDOF) representative (please refer to the memorandum on the Timbering section (Development Standards) as part of Zoning and Subdivision Ordinance Update.

Structure	Anything constructed or erected, the use of which required permanent location on the ground or attachment to something having a permanent location on the ground.	Introduced to the ordinance in 1985	Provide examples of what structures are and what structures are not.
Dwelling	<p>Any structure which is designed for use for residential purposes, except hotels, motels, boardinghouses, lodging and tourist cabins,</p> <p>(1) Single-family detached. A detached structure arranged or designed to be occupied by one family, the structure having only one dwelling unit.</p> <p>(2) Two-family. A structure containing two dwelling units separated from one another by a solid wall or floor. For the purposes of this chapter, the term “two-family dwelling” shall not apply to a single-family dwelling containing an accessory apartment.</p> <p>3) Multiple Family. A structure arranged or designed to be occupied by more than two families.</p>	Introduced to the ordinance in 1985 and revised in 1989 and 1999, respectively.	Staff proposes to amend this definition by adding the following terms to be defined under “dwelling”: single-family attached, duplex, triplex, and quadplex. These are terms which are not currently defined by the Zoning Ordinance; however, these are frequently used by staff and by applicants in the evaluation of residential and mixed use projects.
Flood or flooding	<p>(1) A general or temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters, or the unusual and rapid accumulation or runoff of surface water from any source.</p> <p>(2) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature such as a flash</p>	Introduced into the ordinance on 2007	Staff proposes to update this definition to comply with the Department of Conservation and Recreation (DCR) most recent Virginia Model Floodplain Zoning Ordinance. Please also refer to memorandum pertaining to Floodplains under the Development Standards section.

flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph 1 of this definition

Floodway

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height

Definition added on 1988 and revised on 2007

Staff proposes to update this definition to comply with the Department of Conservation and Recreation (DCR) most recent Virginia Model Floodplain Zoning Ordinance. Please also refer to memorandum pertaining to Floodplains under the Development Standards section.

Table C- Chesapeake Bay Preservation Ordinance definitions

Term(s)	Definition
Best management practice (BMP)	A practice, or combination of practices, that is determined by a state, local or regional agency to be the most effective, practicable means of preventing or reducing the amount of pollution generated by nonpoint sources to a level compatible with water quality goals.
Development	The construction or substantial alteration of residential, commercial, industrial, institutional, recreational, transportation, or utility facilities or structures.
Redevelopment	The process of developing land that is or has been previously developed.
Resource Protection Area (RPA)	<p>That component of a Chesapeake Bay Preservation Area (CBPA) comprised of land adjacent to water bodies with perennial flow that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation to the quality of state waters. RPAs shall include:</p> <ul style="list-style-type: none"> • <i>Tidal wetlands;</i> • <i>Nontidal wetlands connected by surface flow and contiguous to vital wetlands or water bodies with perennial flow;</i> • <i>Tidal Shores;</i> • <i>A buffer area not less than 100 feet in width located adjacent to and landward of the components listed in subdivision 1 through 3 above, and along both sides of any water body with perennial flow</i>
Impervious cover	A surface composed of any material that significantly impedes or prevents natural infiltration of water into the soil. Impervious surfaces include, but are not limited to, roofs, buildings, streets, parking areas, and any concrete, asphalt or compacted aggregate surface. Pervious pavement surfaces will not be considered as totally impervious but will be given partial credit based on the open area and runoff characteristics of the paver structure and the proposed installation.
Runoff	That portion of precipitation that is discharged across the land surface through conveyances to one or more waterway